

ORDINANCE NO. 2022 - ____

**CITY OF OCONTO
OCONTO COUNTY, WISCONSIN**

**AN ORDINANCE REGARDING AN ADDITION TO THE BUILDING CODE ORDINANCE
IN THE MUNICIPAL CODE OF ORDINANCES FOR THE CITY OF OCONTO
REGARDING SMALL SOLAR AND WIND ENERGY SYSTEMS**

THE MAYOR AND COMMON COUNCIL OF THE CITY OF OCONTO, OCONTO COUNTY, WISCONSIN, DOES HEREBY ORDAIN AS FOLLOWS:

I. ADDITION. Section 15-1-8 of the City of Oconto Code of Ordinances is added as follows:

Sec. 15-1-8. Small Solar or Wind Energy System.

(a) Definitions.

1. A small solar system is an energy system that convert solar energy to usable thermal, mechanical, chemical or electrical energy, where such solar energy system is accessory to the principal use of the lot (such as a solar panel system providing energy for a dwelling on the same lot), and primarily supplies energy to such principal use.
2. A small wind energy system is an energy system that converts wind energy to useable thermal, mechanical, chemical or electrical energy, where such wind energy system is accessory to the principal use of the lot (such as a wind turbine system providing energy for a dwelling on the same lot), primarily supplies energy to such principal use, and does not exceed a rated capacity of 60 kilowatts.

(b) Performance Standards.

1. Each small solar or wind energy system shall meet all detached accessory building setbacks in the applicable zoning district, except where mounted to the principal building they shall meet principal building setbacks.
2. Except by special exception, no small solar or wind energy system shall be:
 - a. Located in any front yard or side yard having footage on a public street.
 - b. Set back by a distance of not less than 1.1 times the total height of the small wind energy system from the nearest property line, public road right-of-way, nearest inhabited building other than the principal inhabitable structure served by the small wind energy system, and public communication and electrical lines.
 - c. Greater than 50 feet in height.

3. No small wind energy system shall be sited or operated in a manner that causes permanent or material interference with television or other communication signals. All electrical connections shall be located underground or within a building.
4. The minimum height of the lowest extent of a turbine blade of a small wind energy system shall be 20 feet above the ground and 20 feet above the maximum allowable height of any structure or obstacle within 100 feet of the small wind energy system, except where deliberately designed as part of a structure.
5. Sound emanating from a small solar or wind energy system shall not exceed 70 dBA as measured at all property lines.
6. Each small solar or wind energy system structure shall be finished in a rust-resistant, non-obtrusive finish and color that is non-reflective. Freestanding small wind energy systems shall be designed without use of guide wires. No small solar or wind energy system shall be lighted unless required by the Federal Aviation Administration.
7. Direct or sky-reflected glare, so as to be visible at any property line, shall not be permitted.
8. Clearing of natural vegetation for the purposes of installing a small solar or wind energy system shall be limited to that which is necessary for the construction, operation and maintenance of the small solar or wind energy system and as otherwise prescribed by applicable laws, regulations, and ordinances.
9. No signs of any kind or nature whatsoever shall be permitted on any small solar or wind energy system, except that the manufacturer's identification and appropriate warning signs are allowed.
10. All access doors or access ways to any required towers and electrical equipment shall be lockable. Every small solar or wind energy system shall be equipped with both manual and automatic overspeed controls.
11. Each small solar or wind energy system shall require a building permit before installation, which may be included with the general building permit for the principal structure. Building permit applications shall include the following information in addition to that required by the Building Code.
 - a. A site plan drawn to scale showing the location of the proposed small solar or wind energy system and the locations of all existing buildings, structures, public right-of-ways, and property lines. All distances shall be measured and labeled on the site plan.
 - b. Elevations of the site drawn to scale showing height, design, and configuration of the small solar or wind energy system and the heights of all existing structures, buildings and electrical lines in relation to property lines and their distance from the small solar or wind energy system.
 - c. Standard drawings and an engineering analysis of any wind energy tower, including load-bearing and wind-bearing capacity.

d. A standard foundation design along with specifications for the soil conditions at the site.

e. Specific information on the type, size, rotor material, rated power output, performance, safety, and noise characteristics of the system including the name and address of the manufacturer, model, and serial number.

f. A description of emergency and normal shutdown procedures.

g. A line drawing of the electrical components of the system in sufficient detail to establish that the installation conforms to all applicable electrical codes and this section.

h. Evidence that the provider of electrical service to the property has been notified of the intent to install an interconnected electrical generator, except in cases where the system will not be connected to the electrical grid.

i. A sound level analysis prepared by the wind turbine manufacturer or other qualified engineer, of sufficient detail and focus to determine compliance with the noise standard in this section.

j. Evidence of compliance with or non-applicability with Federal Aviation Administration requirements.

k. If required to obtain a special exception under this section, evidence that a special exception has been granted and all associated conditions have been met.

II. EFFECTIVE DATE.

This Ordinance shall be adopted under suspension of local rules, and shall take effect upon passage and publication as provided by law.

Offered by: _____

Seconded by: _____

VOTE: Ayes _____ Nays _____
 Abstention _____ Absent _____

Date of Adoption: _____

Date of Publication: _____

BY ORDER OF THE COMMON COUNCIL
CITY OF OCONTO, OCONTO COUNTY, WISCONSIN

Lloyd Heier, Mayor

Brittney M. Bickel, City Administrator